

UNITED STATES COURT OF APPEALS

JAN 31 2008

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

BRUCE P. PAOLINI,

Plaintiff - Appellant,

v.

ALBERTSON'S INC.; et al.,

Defendants - Appellees.

Nos. 03-35724 and 05-35804

D.C. No. CV-02-00041-BLW

District of Idaho,

Boise

ORDER

Before: B. FLETCHER and GOULD, Circuit Judges, and KING,\* District Judge.

The merits panel to which this consolidated appeal is assigned has determined that the facts and legal arguments are adequately presented in the briefs and record and that the decisional process would not be significantly aided by oral argument. Accordingly, it directs that this appeal be submitted on the briefs and record, without oral argument. Fed. R. App. P. 34(a)(2)(C).

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\* The Honorable Samuel P. King, Senior United States District Judge for the District of Hawaii, sitting by designation.